

## **REMARKS**

Claims 1-38 are now pending in the application. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

Applicant has made a minor correction to Claim 1 that is typographical in nature. This amendment is not a narrowing amendment.

Applicants would like to thank the Examiner for courtesy extended during the interview with Applicants' representative on April 19, 2006. During the interview, the Examiner agreed that Claim 1 distinguishes over the prior art of record subject to further search and/or consideration.

Claims 1-7, 9, 10, and 12-21 are rejected on the ground of obviousness double patenting. A terminal disclaimer was previously submitted with the filing of this application on December 28, 2001 (copy enclosed). Therefore, this rejection is now moot.

### **REJECTION UNDER 35 U.S.C. § 102**

Claims 1, 14, 8, 23, 30, 2, 15, 24, 31, 6, 12, 19, 28 and 35 are rejected under 35 U.S.C. § 102(e) as being anticipated by Kuroda (U.S. Pat. No. 6,522,608). This rejection is respectfully traversed.

With respect to Claim 1, Kuroda does not show, teach or suggest read circuit including a bit detector for providing single bit digital data corresponding to the analog data from the disk head and a synchronization mark detector for detecting a synchronization marker in response to said bit detector.

As best understood, Kuroda discloses a sync detecting circuit 69 receives the output of the amplifier 61. The amplifier is not a bit detector. Furthermore, the amplifier does not provide single bit digital data corresponding to the analog data from the disk head. Therefore, neither the claimed bit detector nor the synchronization mark detector are present in Kuroda.

For anticipation to be present under 35 U.S.C §102(b), there must be no difference between the claimed invention and the reference disclosure as viewed by one skilled in the field of the invention. Scripps Clinic & Res. Found. V. Genentech, Inc., 18 USPQ.2d 1001 (Fed. Cir. 1991). All of the limitations of the claim must be inherent or expressly disclosed and must be arranged as in the claim. Constant v. Advanced Micro-Devices, Inc., 7 USPQ.2d 1057 (Fed. Cir. 1988).

There are significant differences between the claimed read circuit recited in Claim 1 and the device described in Kuroda. Therefore, Claim 1 is allowable for at least these reasons.

Claims 8, 14, 23 and 30 are allowable for at least similar reasons as Claim 1. The remaining claims are directly or indirectly dependent upon Claim 1 and are allowable for at least similar reasons.

#### **ALLOWABLE SUBJECT MATTER**


Applicant would like to thank the Examiner for favorable consideration of Claims 7, 13, 20, 29 and 36, which are allowable if rewritten in independent form. Applicants will presently refrain from rewriting these claims into independent form. Applicants reserve the right to amend these claims into independent form at a later date if needed.

## CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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